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**IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 76/098,180

UNIFIED COLLABORATION

Filed: July 27, 2000

International Class: 9

Published in the *Official Gazette* of October 23, 2001, Page TM 224



UNIFY CORPORATION)

Opposer)

vs.)

SINPAG INTERNATIONAL, INC.)

Applicant)

12-21-2001

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #71

Opposition No. _____

BOX TTAB

FEE

Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3513

NOTICE OF OPPOSITION

Opposer, Unify Corporation, a Delaware corporation located and doing business at 2101 Arena Boulevard, Suite 100, Sacramento, CA 95834, believes that it will be damaged by registration of the mark shown in Serial No. 76/098,180, and hereby opposes the same.

12/28/2001 6THOMAS2 00000135 76098180

CERTIFICATE OF EXPRESS MAILING

01 FC:377

300.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EL858965805US "Express Mail Post Office to Addressee", in an envelope addressed to BOX TTAB, FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on this 21st day of December, 2001.

Jeanette Olivera

Applicant filed Appl. Ser. No. 76/098,180 for the "UNIFIED COLLABORATION" mark on July 27, 2000, in connection with "computer software for providing a customizable suite of multi-access services, namely, providing wide application protocols and internet access for community sites, vertical portals, networked computers, individual computers, and application service providers; computer software for providing synchronized personal, group, and shared calendar services, namely, project planning management, event invitation services, namely, deadline control, meeting flagging and event organization back-up services, polling and management services, namely, data survey compilation and exploitation, and meeting and event scheduling; computer software for providing individual, group, and online address books; computer software for providing personal online file storage and file sharing; computer software for providing project management and virtual offices for business communities, and group messaging for clubs" in International Class 9. Applicant's mark was published for opposition in the Official Gazette at TM 224 on October 23, 2001 (copy annexed as Exhibit A). Opposer filed a thirty-day request for extension of time to file a Notice of Opposition, which was granted. Opposer now has until December 22, 2001 to file this Notice of Opposition.

STATUTORY AND COMMON LAW GROUNDS FOR OPPOSITION

2. Registrations. Opposer has standing to oppose the published application based on Opposer's statutory rights in its UNIFY trademarks. Opposer is the owner of the following UNIFY registrations and applications in International Classes 9, 41, and 42, including:

- a. UNIFY: U.S. Registration No. 1,663,326 in connection with computer programs and instructional manuals sold as a unit for use in business, science, and education in Class 9, which recites a date of first use in commerce of November 18, 1981 (copy annexed as Exhibit B);

- b. UNIFY: U.S. Registration No. 1,843,232 in connection with educational services, namely providing courses, seminars, and workshops in the field of computers; computer software, programming and database applications in Class 41, reciting a date of first use in commerce of September 12, 1984, and computer software design for others and consulting services in the field of computers, computer software, programming and database applications, reciting a date of first use in commerce of June 18, 1987 (copy annexed as Exhibit C);
- c. UNIFY VISION: U.S. Registration No. 2,289,276 in connection with computer programs or software, namely, computer programs for use in developing application programs, database management software, and applications management software; and instructional manuals sold as a unit in Class 9, reciting a date of first use in commerce of November 16, 1993; educational services, namely, providing courses, seminars, and workshops in the field of computers, computer software, programming and database applications in International class 41, reciting a date of first use in commerce of November 16, 1993; computer software design for others and consulting services in the field of computers, computer software, programming and database applications in International class 42, reciting a date of first use in commerce of November 16, 1993 (copy annexed as Exhibit D).
- d. UNIFY VISION/WEB: U.S. Reg. No. 2,298,547 in connection with computer programs of software, namely, computer programs for use in developing application programs, database management software, and application management software; and instructional manuals sold as a unit in International

class 9, which recites a date of first use in commerce of January 2, 1997 (copy annexed as Exhibit E); and

- e. UNIFY DATASERVER: U.S. Application Serial No. 75/720,640 in connection with computer programs for database management in the field of telecommunications, healthcare information systems, point of sale systems, and for computer applications requiring database management and user instruction manuals sold therewith in International class 9, which recites a date of first use in commerce of February 19, 1997 (copy annexed as Exhibit F).

Opposer is also the owner of several other registrations and applications.

2. Common Law Rights. Opposer also has standing to oppose the published application based on Opposer's common law rights in its UNIFY trademarks. These include the marks UNIFY, UNIFY VISION, UNIFY VISION WEB, UNIFY EWAVE, UNIFY DATASERVER, UNIFY DBINTEGRATOR, and UNIFY ACCELL for use in connection with computer software, computer programs, and computer database applications. Opposer has used the UNIFY trademark since at least as early as 1981. In subsequent years, Opposer has continued to use the mark and build a family of marks containing the UNIFY mark. This use has been valid and continuous and has not been abandoned. Opposer's UNIFY trademarks have been popular and well known for many years and the products and services sold in connection therewith have been the subject of substantial advertising and promotional activities. Marks containing the term "UNIFY" are distinctive and have acquired secondary meaning through Opposer's use. These marks are therefore entitled to strong protection under trademark law and would be damaged by the registration of the mark "UNIFIED COLLABORATION" shown in Application Serial No. 76/098,180.

3. Opposer's use in interstate commerce of its UNIFY marks in connection with its goods and services is prior to July 27, 2000, the filing date of U.S. Appl. Ser. No. 76/098,180.

4. Opposer's marks and trade names are symbolic of the extensive goodwill and consumer recognition built up by Opposer in the UNIFY marks through substantial amounts of time and effort in advertising and promotion of its goods and services. Opposer has offered goods and services in association with the UNIFY marks extensively and continuously in commerce in the United States since as early as 1981. This use has been valid and continuous and has not been abandoned.

5. In view of the similarity of the respective marks and the related nature of the goods and services, it is respectfully evident that the Applicant's mark so resembles Opposer's mark in spelling, pronunciation, usage, goods/services, channels of trade and consumers, that Applicant's mark will likely cause confusion or mistake, or will deceive or falsely suggest an association with Opposer.

6. If Applicant is permitted to use and register its mark for its goods and services, as specified in the application herein opposed, the resulting likelihood of confusion, mistake, deception, or false association will cause irreparable damage to the goodwill and consumer recognition that Opposer has built up in the UNIFY marks.

7. Opposer avers that the Applicant's use of said mark interferes with the Opposer's use of its UNIFY marks and will embarrass Opposer in the free use of its marks. Registration of the mark by Applicant will seriously damage Opposer under Section 2(d) of the Trademark Act.


8. Opposer's UNIFY marks are well known and famous and by virtue of their renown and fame, and in view of the dominant role of fame in analyzing likelihood of confusion, there is an increased likelihood of confusion between the UNIFY marks and the opposed mark.

WHEREFORE, Opposer prays that said Application Serial No. 76/098,180 be rejected, that no registration be issued thereon to Applicant and that this opposition be sustained in favor of Opposer. A duplicate copy of this Notice of Opposition and the requisite filing fee in the amount of \$300 per class are enclosed herewith.

Please address all correspondence to Mitchell P. Brook, Esq., BAKER & McKENZIE, 101 W. Broadway, 12th Floor, San Diego, California 92101.

Respectfully Submitted,

Date: December 21, 2001

By: 

Mitchell P. Brook
BAKER & McKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

Attorney for Opposer

CLASS 9—(Continued).

SN 76-093,734. CONTIVO, INC., PALO ALTO, CA. BY CHANGE OF NAME ALAKAI TECHNOLOGIES, INC., PALO ALTO, CA. FILED 7-21-2000.

CONTIVO

FOR COMPUTER SOFTWARE FOR ANALYZING, CONFIGURING, MAPPING AND MANAGING BUSINESS DOCUMENT CONTENT TO ENABLE ELECTRONIC TRADING TRANSACTIONS FOR ELECTRONIC COMMERCE AND COMMUNICATIONS SOFTWARE TO FACILITATE THE TRANSMISSION OF ELECTRONIC DATA (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-094,707. SPARKLING BEATNIK RECORDS / FLOATING WORLD STUDIOS, LLC, COLUMBIA, MO. FILED 7-24-2000.



NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RECORDS", APART FROM THE MARK AS SHOWN, FOR PRE-RECORDED COMPACT DISKS, AND DVD'S, ALL FEATURING MUSIC; AND DOWNLOADABLE MUSIC SOUND RECORDINGS (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 12-0-1998; IN COMMERCE 12-0-1998.

SN 76-096,882. OKLAHOMA SAFETY EQUIPMENT COMPANY, INC., BROKEN ARROW, OK. FILED 7-26-2000.

PROSIZER

FOR SOFTWARE FOR SIZING PRESSURE RELIEF RUPTURE DISKS (U.S. CLS. 21, 23, 26, 36 AND 38).
FIRST USE 1-4-2000; IN COMMERCE 3-1-2000.

SN 76-097,511. TUILASER AG, GRAEFELFING, FED REP GERMANY. FILED 7-27-2000.

BRAGGSTAR

FOR ELECTRIC GAS DISCHARGE LASER PRODUCING ULTRAVIOLET LIGHT FOR USE IN THE TELECOMMUNICATIONS INDUSTRY IN THE FABRICATION OF OPTICAL FIBER MODULES FOR WAVELENGTH DIVISION MULTIPLEXING (U.S. CLS. 21, 23, 26, 36 AND 38).

CLASS 9—(Continued).

SN 76-097,937. XPARTICIPATION, INC., NAHANT, MA. FILED 7-27-2000.

XACCOUNTABILITY

FOR COMPUTER OPERATING PROGRAMS (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-098,180. SINPAG INTERNATIONAL, INC., WILMINGTON, DE. FILED 7-27-2000.

UNIFIED COLLABORATION

FOR COMPUTER SOFTWARE FOR PROVIDING A CUSTOMIZABLE SUITE OF MULTI-ACCESS SERVICES, NAMELY, PROVIDING WIDE APPLICATION PROTOCOLS AND INTERNET ACCESS FOR COMMUNITY SITES, VERTICAL PORTALS, NETWORKED COMPUTERS, INDIVIDUAL COMPUTERS, AND APPLICATION SERVICE PROVIDERS; COMPUTER SOFTWARE FOR PROVIDING SYNCHRONIZED PERSONAL, GROUP, AND SHARED CALENDAR SERVICES, NAMELY, PROJECT PLANNING MANAGEMENT, EVENT INVITATION SERVICES, NAMELY, DEADLINE CONTROL, MEETING FLAGGING AND EVENT ORGANIZATION BACK-UP SERVICES, POLLING AND MANAGEMENT SERVICES, NAMELY, DATA SURVEY COMPILATION AND EXPLOITATION, AND MEETING AND EVENT SCHEDULING; COMPUTER SOFTWARE FOR PROVIDING INDIVIDUAL, GROUP, AND ONLINE ADDRESS BOOKS; COMPUTER SOFTWARE FOR PROVIDING PERSONAL ONLINE FILE STORAGE AND FILE SHARING; COMPUTER SOFTWARE FOR PROVIDING PROJECT MANAGEMENT AND VIRTUAL OFFICES FOR BUSINESS COMMUNITIES, AND GROUP MESSAGING FOR CLUBS (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-101,436. INFOIMAGE, INC., PHOENIX, AZ. FILED 8-2-2000.

INFOIMAGE

OWNER OF U.S. REG. NO. 2,041,634.

FOR COMPUTER SOFTWARE FOR USERS OF AN ENTERPRISE NETWORK THAT ENABLES THEM TO SHARE INFORMATION AVAILABLE VIA AN INTERNAL OR GLOBAL COMPUTER INFORMATION NETWORK, IN THE FIELD OF BUSINESS; COMPUTER SOFTWARE IN THE FIELD OF BUSINESS USED TO GATHER, VIEW, AND ANALYZE DATA FROM SOURCES WHICH ARE NOT NORMALLY ACCESSIBLE TO THE VIEWER AND WHICH ARE INTERNAL AND EXTERNAL TO THE USER'S ORGANIZATION OR BUSINESS (U.S. CLS. 21, 23, 26, 36 AND 38).
FIRST USE 12-15-1992; IN COMMERCE 12-15-1992.

Int. Cl.: 9

Prior U.S. Cl.: 38

Reg. No. 1,663,326

United States Patent and Trademark Office Registered Nov. 5, 1991

**TRADEMARK
PRINCIPAL REGISTER**

UNIFY

UNIFY CORPORATION (CALIFORNIA CORPORATION)
3870 ROSIN COURT, SUITE 100
SACRAMENTO, CA 95834

FOR USE IN BUSINESS, SCIENCE AND EDUCATION, IN CLASS 9 (U.S. CL. 38).
FIRST USE 11-18-1981; IN COMMERCE 11-18-1981.

FOR: COMPUTER PROGRAMS AND INSTRUCTIONAL MANUALS SOLD AS A UNIT

SER. NO. 74-132,911. FILED 1-24-1991.

BALDEV SARAI, EXAMINING ATTORNEY

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100 and 107

United States Patent and Trademark Office

Reg. No. 1,843,232

Registered July 5, 1994

**SERVICE MARK
PRINCIPAL REGISTER**

UNIFY

UNIFY CORPORATION (CALIFORNIA CORPORATION)
3901 LENNANE DRIVE
SACRAMENTO, CA 958341922

FOR: EDUCATIONAL SERVICES; NAMELY, PROVIDING COURSES, SEMINARS AND WORKSHOPS IN THE FIELD OF COMPUTERS; COMPUTER SOFTWARE, PROGRAMMING AND DATABASE APPLICATIONS, IN CLASS 41 (U.S. CL. 107).

FIRST USE 9-12-1984; IN COMMERCE 9-12-1984.

FOR: COMPUTER SOFTWARE DESIGN FOR OTHERS AND CONSULTING SERVICES IN THE FIELD OF COMPUTERS, COMPUTER SOFTWARE, PROGRAMMING AND DATABASE APPLICATIONS, IN CLASS 42 (U.S. CL. 100).

FIRST USE 6-18-1987; IN COMMERCE 6-18-1987.

OWNER OF U.S. REG. NO. 1,663,326.

SER. NO. 74-245,562, FILED 2-11-1992.

JEAN MARC BRUN, EXAMINING ATTORNEY

Int. Cls.: 9, 41, and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, and 107

Reg. No. 2,289,276

United States Patent and Trademark Office

Registered Oct. 26, 1999

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

UNIFY VISION

UNIFY CORPORATION (DELAWARE CORPORATION)
181 METRO DRIVE, 3RD FLOOR
SAN JOSE, CA 95110

FOR: COMPUTER PROGRAMS OR SOFTWARE, NAMELY, COMPUTER PROGRAMS FOR USE IN DEVELOPING APPLICATION PROGRAMS, DATABASE MANAGEMENT SOFTWARE, AND APPLICATIONS MANAGEMENT SOFTWARE; AND INSTRUCTIONAL MANUALS SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-16-1993; IN COMMERCE 11-16-1993.

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING COURSES, SEMINARS AND WORKSHOPS IN THE FIELD OF COMPUTERS, COMPUTER SOFTWARE, PROGRAMMING

AND DATABASE APPLICATIONS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-16-1993; IN COMMERCE 11-16-1993.

FOR: COMPUTER SOFTWARE DESIGN FOR OTHERS AND CONSULTING SERVICES IN THE FIELD OF COMPUTERS, COMPUTER SOFTWARE, PROGRAMMING AND DATABASE APPLICATIONS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-16-1993; IN COMMERCE 11-16-1993.

OWNER OF U.S. REG. NOS. 1,663,326 AND 1,843,232.

SN 75-278,385, FILED 3-24-1997.

JOAN LESLIE BISHOP, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,298,547

United States Patent and Trademark Office

Registered Dec. 7, 1999

TRADEMARK
PRINCIPAL REGISTER

UNIFY VISION/WEB

UNIFY CORPORATION (DELAWARE CORPORATION)
181 METRO DRIVE, 3RD FLOOR
SAN JOSE, CA 95110

FOR: COMPUTER PROGRAMS OR SOFTWARE, NAMELY, COMPUTER PROGRAMS FOR USE IN DEVELOPING APPLICATION PROGRAMS, DATABASE MANAGEMENT SOFTWARE, AND APPLICATION MANAGEMENT SOFTWARE; AND INSTRUCTIONAL

MANUALS SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-2-1997: IN COMMERCE
1-2-1997.

OWNER OF U.S. REG. NOS. 1,663,326 AND
1,843,232.

SN 75-278,386, FILED 3-24-1997.

JOAN LESLIE BISHOP, EXAMINING ATTORNEY

TRADEMARK/SERVICE MARK APPLICATION, PRINCIPAL REGISTER, WITH DECLARATION	MARK: UNIFY DATASERVER	CLASS NO: 9
TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:		
APPLICANT'S NAME: UNIFY CORPORATION		
APPLICANT'S BUSINESS ADDRESS: 3927 Lennane Drive (Display address exactly as it should appear on registration) Sacramento, CA 95834		
APPLICANT'S ENTITY TYPE: (Check one and supply requested information)		
<input type="checkbox"/>	Individual - Citizen of (Country):	
<input type="checkbox"/>	Partnership - State where organized (Country, if appropriate): Names and Citizenship (Country) of General Partners:	
<input checked="" type="checkbox"/>	Corporation - State (Country, if appropriate) of Incorporation: Delaware	
<input type="checkbox"/>	Other (Specify Nature of Entity and domicile):	
GOODS AND/OR SERVICES:		
Applicant requests registration of the trademark/service mark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods/services: COMPUTER PROGRAM FOR DATABASE MANAGEMENT AND USER INSTRUCTION MANUALS SOLD THEREWITH in International Class 9		
ADDITIONAL INFORMATION		
BASIS FOR APPLICATION: (Check boxes which apply, but never both the first AND second boxes, and supply requested information related to each box checked.)		
<input checked="" type="checkbox"/>	Applicant is using the mark in commerce on or in connection with the above identified goods/services. (15 U.S.C. 1051(a), as amended.) Three specimens showing the mark as used in commerce are submitted with this application <ul style="list-style-type: none"> Date of first use of the mark in commerce which the U.S. Congress may regulate: February 19, 1997 Specify the type of commerce: INTERSTATE Date of first use anywhere: February 19, 1997 Specify manner or mode of use of mark on or in connection with the goods/services: LABELS, CONTAINERS, PACKAGING AND OTHER MANNERS CUSTOMARY TO THE TRADE. 	
<input type="checkbox"/>	Applicant has a bona fide intention to use the mark in commerce on or in connection with the above identified goods/services. (15 U.S.C. 1051(b), as amended.) <ul style="list-style-type: none"> Specify intended manner or mode or use of mark on or in connection with the goods/services: -- 	
<input type="checkbox"/>	Applicant has a bona fide intention to use the mark in commerce or in connection with the above identified goods/services, and asserts a claim of priority based upon a foreign application in accordance with Lanham Act, Sec. 44(d), 15 U.S.C. 1126(d), as amended. <ul style="list-style-type: none"> Country of foreign filing: _____ Date of Foreign filing: _____ 	
<input type="checkbox"/>	Applicant has a bona fide intention to use the mark in commerce or in connection with the above identified goods/services, and accompanying this application, submits a certification or certified copy of a foreign registration in accordance with Lanham Act, Sec. 44(e), 15 U.S.C. 1126(e), as amended. <ul style="list-style-type: none"> Country of foreign filing: _____ Date of Foreign filing: _____ 	
NOTE: Declaration, on Page 2, MUST be Signed		

DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

5-24-99

DATE

SIGNATURE

John Davis
Vice President, Business Development

PRINT OR TYPE NAME AND POSITION

TO BE SIGNED BY NON-U.S. COMPANIES ONLY

DESIGNATION OF DOMESTIC AGENT

Baker & McKenzie, whose postal address is 2 Embarcadero Center, Suite 2400, San Francisco, California 94111 is hereby designated applicant's representative upon whom notice or process in proceedings affecting the mark may be served.

DATE

SIGNATURE

PRINT OR TYPE NAME AND POSITION

PLEASE DIRECT ALL CORRESPONDENCE TO:

Mae Y. Ho
BAKER & MCKENZIE
2 Embarcadero Center, Suite 2400
San Francisco, CA 94111
(415) 576-3006

PLEASE REFER TO OUR FILE:

68123871.5400 (988848)

DRAWING FOR TRADEMARK APPLICATION	
TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:	
APPLICANT'S NAME:	UNIFY CORPORATION
APPLICANT'S BUSINESS ADDRESS:	3927 Lennane Drive Sacramento, CA 95834
GOODS/SERVICES:	COMPUTER PROGRAM FOR DATABASE MANAGEMENT AND USER INSTRUCTION MANAUALS SOLD THEREWITH in International Class 9
Check boxes which apply, but never both the first AND second boxes, and supply requested information related to each box.	
	Intent-to-Use
X	Use: Date of first use of the mark in commerce which the U.S. Congress may regulate: February 19, 1997 Date of first use anywhere: February 19, 1997
	Section 44(d): Country _____, Serial No. _____, Filing Date _____
	Section 44(e): Country _____, Reg. No. _____, Reg. Date _____
	<h2 style="margin: 0;">UNIFY DATASERVER</h2>
PLEASE DIRECT ALL CORRESPONDENCE TO:	
	Mae Y. Ho BAKER & MCKENZIE 2 Embarcadero Center, Suite 2400 San Francisco, CA 94111 (415) 576-3006
PLEASE REFER TO OUR FILE:	
	68123871.5400 (988848)

SPECIMENS FOR TRADEMARK APPLICATION

TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:

APPLICANT'S NAME UNIFY CORPORATION

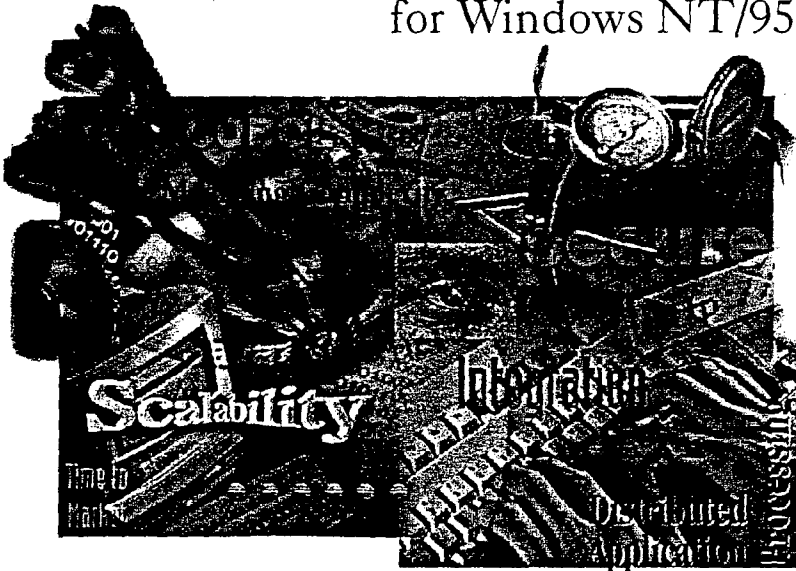
APPLICANT'S BUSINESS ADDRESS: 3927 Lennane Drive
Sacramento, California 95834

GOODS/SERVICES: COMPUTER PROGRAM FOR DATABASE MANAGEMENT AND USER
INSTRUCTION MANUALS SOLD THEREWITH in International Class 9

DATE OF FIRST USE: FEBRUARY 19, 1997

FIRST USE IN COMMERCE: FEBRUARY 19, 1997

Unify DataServer™
for Windows NT/95



UNIFY

PLEASE DIRECT ALL CORRESPONDENCE TO:

MAE Y. HO
BAKER & MCKENZIE.
TWO EMBARCADERO CENTER, 24TH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
(415) 576-3000

PLEASE REFER TO OUR FILE:

68123871.5400 (988848)



12-21-2001

U.S. Patent & TMO/TM Mail Rpt Dt. #71

BAKER & M^CKENZIE

ATTORNEYS AT LAW

NORTH AND
SOUTH AMERICA

EUROPE
MIDDLE EAST

ASIA
PACIFIC

AMSTERDAM MADRID
BAHRAIN MILAN
BARCELONA MOSCOW
BERLIN MUNICH
BRUSSELS PARIS
BUDAPEST PRAGUE
CAIRO RIYADH
DÜSSELDORF ROME
FRANKFURT ST. PETERSBURG
GENEVA STOCKHOLM
KYIV WARSAW
LONDON ZURICH

ALMATY
BAKU
BANGKOK
BEIJING
HANOI
HO CHI MINH CITY
HONG KONG
HSINGHU
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SAN DIEGO
SAN FRANCISCO
SANTIAGO
SAO PAULO
TIJUANA
TORONTO
VALENCIA
WASHINGTON, D.C.

MITCHELL P. BROOK
(619) 235-7753
INTERNET: mitchell.p.brook@bakernet.com

December 21, 2001

VIA EXPRESS MAIL NO. EL858965805US

EL858965805US

BOX TTAB

FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Notice of Opposition

Applicant : Sinpag International, Inc.
Opposer : Unify Corporation
Mark : UNIFIED COLLABORATION
Serial No. : 76/098,180
Our File : 67123871-1008

Dear Madam or Sir:

Enclosed please find a (a) Notice of Opposition (in duplicate); and (b) a check in the amount of \$300.00 to cover the filing fee in one class.

All correspondence in this case should be sent to:

Mitchell P. Brook, Esq.
BAKER & McKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

BAKER & M^CKENZIE

Page 2

Commissioner for Trademarks
December 21, 2001

Please file-stamp and return the self-addressed postcard to this office for our records. Please charge any deficit or credit any excess to our Deposit Account No. 02-0410 (Baker & McKenzie). Thank you.

Respectfully submitted,

BAKER & McKENZIE

A handwritten signature in black ink, appearing to read 'Mitchell P. Brook', is written over the printed name 'BAKER & McKENZIE'.

Mitchell P. Brook

MPB:jmo
Enclosures